

REMARKS

This Amendment After Final is in response to the final Office action mailed November 24, 2011. It is believed that no fees are due in connection with the present Amendment After Final. However, in the event any fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855.

Status of the Claims

Claims 21-54, 56-58 are pending in the application, with claims 21-24 and 40-52 having been withdrawn. It is respectfully submitted that the November 24, 2011 final Office action omitted claim 57, but should have indicated the claim is still pending in the application, as this claim, introduced in a preliminary amendment accompanying an RCE on April 9, 2010, was not canceled in the amendment submitted September 8, 2010.

Claim 25 is amended to recite (in part): “a processor arranged to compare an identifier read by the reader with the list of any previously used identifiers and to generate an invalid indication if there is a match between the identifier read by the reader and the list of any previously used identifiers, wherein the invalid indication includes an internal control signal which disables the printing apparatus, such that printing operations can not be implemented for a consumable having an identifier in said list.” Claims 36 and 56-58 were amended in a similar manner. These amendments are supported by the final paragraph of page 10 (Para. [0051] of US 2006/0146081 A1) and does not add any new matter.

Response to Claim Rejections

35 USC § 102 Rejections

Claims 25, 27, 29, 31, 32, 36, 53, 54 and 56 were rejected as allegedly anticipated by Kobayashi et al., US Patent No. 4,974,238 ("Kobayashi"). Although claim 57 was not specifically identified as having been rejected under Kobayashi in the final office action of November 24, 2010, the Applicants understand from the June 9, 2010 Office action that claim 57 was intended to have been included in the latest 35 USC § 102 rejections under Kobayashi. As the Applicants have previously indicated, Kobayashi does not show the Applicants' claimed feature of the printer being disabled when the consumable is considered to be a previously-used consumable. To the contrary, one of ordinary skill in the art reading Kobayashi would understand that this is not the case. For instance, in lines 7 to 9 of column 6 of Kobayashi, it is stated that "a drum having a used life count exceeding the predetermined life can be continued to be used if so desired by the operator".

The final Office action refers to the language in column 6, lines 7-10 of Kobayashi as indicating the reference teaches disabling the printing operation. However, the cited portion of Kobayashi actually states "... the process proceeds to the block 108 where the operator is notified on the operator panel that maintenance is required. In the embodiments being described, however, a drum having a used life count exceeding the predetermined life can be continued to be used if so desired by the operator. To this end, a switch can resent the warning or the alarm (not shown)". Nowhere in this cited passage is the stopping of printing discussed. Nor does the process flow chart in Figure 4 of Kobayashi illustrate the stopping of printing. It is therefore respectfully submitted that the Office action's characterization of the Kobayashi reference is in error. Interpreting the language of the Kobayashi reference as stating that printing is stopped as

a result of the alarm/maintenance operation request is speculative and not supported by the reference itself.

Nevertheless, the Applicants now amend independent claims 25, 56 and 57 (as well as independent claim 58) to recite that “printing operations can not be implemented for a consumable having an identifier in said list”. In other words, once the identifier of a consumable has been added to the list in the printer memory, that consumable cannot be reused. As discussed in the third paragraph of page 2 of the present application (Para. [0008] of US 2006/0146081 A1), this prevents unauthorized manufacturers from copying an existing consumable for use in a printing operation. In embodiments in which the consumable is contained in a housing, this feature prevents users from refilling that housing with an unauthorized consumable and reusing that housing in the printer. As a result, the original manufacturer has better quality control over the consumables employed in the printer, preventing the use of low quality consumables that can cause damage to components within the printer or that can negatively affect print quality.

35 USC § 103 Rejections

Claims 26, 28, 30, 33-35, 37-39, 55 and 58 were rejected as allegedly unpatentable over Kobayashi in view of Klinefelter et al., WO 00/43932 (“Klinefelter”). Claim 58 was also rejected as allegedly unpatentable over Kobayashi in view of Yasui et al., US Patent No. 5,938,354 (“Yasui”). It is respectfully submitted that Kobayashi teaches away from the Applicants’ claims, as amended, in that Kobayashi specifically teaches allowing a user to continue using a consumable even when its used life count is considered to have expired. (Column 6, lines 7-9: “[I]n the embodiment being described, however, a drum having a used life count exceeding the predetermined life can be continued to be used if so desired by the

operator.” Therefore, it is respectfully submitted that even if Kobayashi were combined with either Kinefelter or Yasui, the combination would not result in, or suggest, the Applicants’ claims, as amended.

Kobayashi does not overcome the problems of pirating or unauthorized refilling that are addressed by the Applicants’ claims. Resetting of the alarm on the printer of Kobayashi would permit use of undesired consumables that the Applicants’ claimed printer apparatus would prohibit. To the extent the identifier 12 of Kobayashi is considered in the final Office action as being used for counting the remaining amount of the consumable drum, it is respectfully submitted that this interpretation of Kobayashi is incorrect. In Kobayashi, the identifier 12 is simply used for identifying the consumable; the amount of consumable remaining is calculated by a counter 44 that can count the number of printed sheets or the number of printed lines, or alternately, count the printing time or time required for a laser to perform scanning (see column 8, first paragraph, of Kobayashi). As such, it is respectfully submitted that claims 26, 28, 30, 33-35, 37-39, 55 and 58 are allowable over the proposed combinations or modifications of Kobayashi in view of either Klinefelter or Yasui.

CONCLUSION

It is respectfully submitted that in view of the claims, as amended, and the foregoing remarks, the application is in condition for allowance. The Examiner’s reconsideration and favorable action are respectfully solicited.

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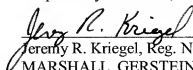
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Date: January 24, 2011

Respectfully submitted,

A handwritten signature in cursive script, reading "Jeremy R. Kriegel", is written over a horizontal line.

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